

# A Utah Woman Faces the Sex Offender Registry for Going Topless in Front of Her Stepkids

Tilli Buchanan and her husband removed their shirts after installing insulation in their garage. Only one of them is facing charges.

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A Utah stepmother might land on the sex offender registry for baring her breasts in her own home. It's not clear when exactly the incident took place. (One recollection puts it in the fall of 2016, while another has it in late 2017 or early 2018.) According to the stepmother, Tilli Buchanan of West Valley City, it happened after she and her husband installed insulation in their garage. Upon finishing, the couple returned to the main part of the house and removed their itchy clothes. At that point Buchanan's stepchildren walked downstairs and saw the couple shirtless. To ease their embarrassment, Buchanan then attempted to explain that her being topless was not inherently sexual and compared it to them seeing their father's bare chest.

Prosecutors tell a different story. They say Buchanan purposefully took her shirt off in front of her stepchildren while under the influence of alcohol, then told her husband that she would only put her shirt back on if she saw his penis.

Just how exactly did law enforcement become aware of the private moment in the first place? *The Salt Lake Tribune* [reports](#) that the mother of Buchanan's stepchildren heard about the incident and was "alarmed" enough to report it to the Division of Child and Family Services. Earlier this year, a police detective called Buchanan to ask about it.

Buchanan now faces three misdemeanor charges for lewdness involving a child, which [Utah statute 76-9-702.5](#) defines as exposing "genitals, the female breast below the top of the areola, the buttocks, the anus, or the pubic area." The statute applies in public spaces, and in private spaces "under circumstances the person should know will likely cause affront or alarm or with the intent to arouse or gratify the sexual desire of the actor or the child." If convicted, Buchanan will be placed on the sex offender registry for 10 years.

Buchanan's husband, who by all accounts was at the same level of undress, has escaped legal consequences. The American Civil Liberties Union of Utah, which appeared in court to support Buchanan this week, argues that this disparity in the lewdness statute violates the Constitution's [Equal Protection Clause](#). "We want people to be treated equally," says Leah Farrell, a senior staff attorney with the group. "When the state and criminal justice system are involved, we have to scrutinize our personal feelings about what morality should be and what is simply criminalizing someone's body because of their gender."

The case is expected to receive a ruling within the next two months.